

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 22-1364V

JOSEPH FRANK *and* PAIGE FRANK,
parents of P.F., a minor,

Petitioners,

v.

SECRETARY OF HEALTH AND
HUMAN SERVICES,

Respondent.

Chief Special Master Corcoran

Filed: December 11, 2024

Ronald C. Homer, Conway, Homer, P.C., Boston, MA, for Petitioners.

Eleanor Hanson, U.S. Department of Justice, Washington, DC, for Respondent.

RULING ON ENTITLEMENT¹

On September 23, 2022, Joseph and Paige Frank, on behalf of their minor child P.F., filed a petition for compensation under the National Vaccine Injury Compensation Program, 42 U.S.C. §300aa-10, *et seq.*² (the “Vaccine Act”). Petitioners allege that P.F. suffered idiopathic thrombocytopenic purpura (“ITP”) as a result of measles-mumps rubella (“MMR”), varicella, Hepatitis A (“Hep. A”), and influenza (“flu”) vaccinations administered to her on October 20, 2021. Petition at 1. Petitioners further allege that P.F.’s ITP began 7-42 days after vaccination, that she demonstrated the presence of clinical manifestations of ITP, that her serum platelet count was less than 50,000/mm³,

¹ Because this Ruling contains a reasoned explanation for the action taken in this case, it must be made publicly accessible and will be posted on the United States Court of Federal Claims' website, and/or at <https://www.govinfo.gov/app/collection/uscourts/national/cofc>, in accordance with the E-Government Act of 2002. 44 U.S.C. § 3501 note (2018) (Federal Management and Promotion of Electronic Government Services). **This means the Ruling will be available to anyone with access to the internet.** In accordance with Vaccine Rule 18(b), Petitioner has 14 days to identify and move to redact medical or other information, the disclosure of which would constitute an unwarranted invasion of privacy. If, upon review, I agree that the identified material fits within this definition, I will redact such material from public access.

² National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755. Hereinafter, for ease of citation, all section references to the Vaccine Act will be to the pertinent subparagraph of 42 U.S.C. § 300aa (2018).

and there is no evidence of a factor of an exclusionary condition or factor unrelated. The case was assigned to the Special Processing Unit of the Office of Special Masters.

On December 10, 2024, Respondent filed his Rule 4(c) report in which he concedes that Petitioner is entitled to compensation in this case. Respondent's Rule 4(c) Report at 1. Specifically, Respondent is satisfied that Petitioners have met the criteria set forth in the Table and the Qualifications and Aids to Interpretation and that based on the record as a whole, Respondent recommends the Chief Special Master find Petitioners, on behalf of P.F., entitled to compensation. *Id.* at 6.

In view of Respondent's position and the evidence of record, I find that Petitioners are entitled to compensation.

IT IS SO ORDERED.

s/Brian H. Corcoran

Brian H. Corcoran
Chief Special Master